

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

No. 13-53846

Chapter 9

HON. STEVEN W. RHODES

**EXHIBIT 72**

**APPELLEE STATE OF MICHIGAN'S DESIGNATION OF  
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

In connection with Notice of Appeal filed by  
William M. Davis and DAREA [Dkt. #8369].

<b>Item</b>	<b>Date Filed</b>	<b>Docket Number</b>	<b>Description</b>
72	8/18/2014	6868	Motion to Object to the 5th Amendment Plan of Adjustment Confirmation filed by Creditor Paulette Brown

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT  
SOUTHERN DIVISION

FILED (1)

2014 AUG 18 P 4: 09

Paulette Brown  
Creditor/objector

Chapter 9  
Case #13-53846  
Judge Steven W. Rhodes

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

V.

In re: City of Detroit, Michigan and  
Emergency Manager Kevin Orr  
Debtor/City of Detroit

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**Motion to Object to the 5<sup>th</sup> Amendment Plan of Adjustment Confirmation**

Now comes Paulette Brown, creditor/objector, and In support of her I objection, states a as I follows:

I am an experienced election official and have participated in the election process for the City of Detroit Election Commission for over 30 years. Elections are to be run in a way that is fair to all parties involved. It would be improper and illegal for an entity conducting an election process to attempt to influence voters through campaign materials or other propaganda actually included with or connected to the allegedly impartial balloting process. An advantage cannot be given by the entity running the election. When absentee ballots were/are sent out in the mail to voters in the city of Detroit, The Election Commission did not include campaign literature urging voters to vote for a particular candidate or a particular proposal.

The election process is supposed to be strictly neutral and/or unbiased the process used in connection with the voting on the bankruptcy plan of adjustment was not, The package containing the ballots included printed materials, e.g. letters, along with my ballot, urging me to approve the plan. There was nothing included in the ballot package urging me to reject the plan. In all fairness, each side should have had their recommendations heard. The balloting process appeared rigged to sway pensioners to vote to approve the plan.



Retirees were led to believe that there was only had one plan to accept or reject, however there were two alternatives plans listed on the ballot. This made the ballot confusing and difficult to understand exactly what you were voting for.

In my opinion the ballot listed the Emergency Manager's plan to vote on and the ostensible alternate plan to frighten and intimidate retirees into voting for the plan favored by the Emergency Manager. This was not fair. It was designed to confuse and bully the voting retirees into accepting the plan. It was akin to someone putting a gun to your head and saying, "If you take me to your bank, I'll only take half of your money, and you can't call the police," or "I can just shoot you in the head and take it all," your choice. Well, I think most people would choose to stay alive. However, the alternative plan was not really "The Plan," it was a prediction. Normally, a proposal, or in this case, "The Plan" is stated on the ballot and you vote yes (Accept), or no (Reject). There are no alternatives, just other proposals. Wherefore it does not meet USC 1129 a (3), therefore the Plan of Adjustment should not be confirmed.

Additionally, Class 11 contains two groups of GRS pensioners, those with an ASF account, and those without. Those with an ASF account stand to lose up to 20% of their pensions, plus no cost of living (COLA), while those without an ASF account stand to lose 4.5% of their pensions, plus COLA. The City's plan proposes less favorable treatment for the pensioners with an ASF account than the pensioners without an ASF account, and gave them the opportunity to vote on something that does not pertain to them or affect them monetarily. This is unfair and inequitable.

1997 Amendment “In the event that more than one plan of reorganization is to be voted upon, the form of ballot will need to be adapted to permit holders of claims or equity interests (a) to accept or reject each plan being proposed, and (b) to indicate preferences among the competing plans. See section 1129 (c)”

Moreover, many retirees never received a ballot, got multiple ballots, or received incorrect ballots, non-delivered ballots.



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EASTERN DISTRICT OF MICHIGAN

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IN RE:

*City of Detroit*  
Debtor.

CASE NO:

*13-53846*

CHAPTER:

*Chapter 9*

CERTIFICATE OF SERVICE

I hereby certify that on 8/18/14 (date of mailing), I served

copies as follows:

1. Document(s) served:

*Motion to Object to 5th Amended Plan  
of Adjustment and all corrections.*

2. Served upon [name and address of each person served]:

*David Herman  
Jones Day  
901 Lakeside Ave  
Cleveland, Ohio 44114*

3. By First Class Mail.

Dated: 8/18/2014

*Vonne Williams Jones*  
(Signature)

Print Name: Vonne Williams Jones